UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION

BLUE MACELLARI, an individual,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	Case No. 05-CV-04161-JPG
RUSTY CARROLL, an individual,	)	
R2C2, INC., a corporation and	)	
DIGITALSMITHS CORPORATION,	)	
	)	
Defendants.	)	

CONSENT MOTION FOR EXTENSION
OF TIME TO RESPOND TO COMPLAINT

Defendants Rusty Carroll and R2C2, Inc., hereby request an additional 30 days to and including October 28, 2005, in which to respond to the Complaint. In support of their motion, defendants state:

1. Defendants were served with this Complaint on September 8, 2005 and retained counsel on September 20, 2005.

2. The complaint includes 11 counts and 131 paragraphs of averments.

3. Given the complexity of the complaint and counsel's other professional obligations, an extension of time to respond of 30 days (to and including October 28, 2005) is appropriate. The extension would permit counsel to investigate the allegations and prepare a meaningful response to the Complaint.

4. Counsel for plaintiff has consented to this request.

5. As required by Local Rule 7.1, a proposed Order has been submitted.

Dockets.Justia.com

For these reasons, Defendants request that the court grant Defendants Rusty Carroll and R2C2, Inc., 30 additional days to and including October 28, 2005, in which to respond to the Complaint.

Dated: September 21, 2005

Respectfully submitted,

BRYAN CAVE LLP

By: */s/ James F. Bennett*

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Attorney for Defendants
Rusty Carroll and R2C2, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of September, 2005, the foregoing document was filed electronically with the Clerk of the United States District Court, Southern District of Illinois to be served by operation of the Court's electronic filing system upon:

Douglas S. Teasdale
doug@tmolaw.com

And I hereby certify that on this 21st day of September, 2005, a true and correct copy of the foregoing was mailed by United States Postal Service to the following non-registered participant:

Evan Parke
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/s/ James F. Bennett